

# Statement of Legislative Intent

## Background

General Plan 2020 proposes to direct future growth and development to areas in or adjacent to existing communities where infrastructure and services are available and away from areas that are severely constrained or lack infrastructure. In order to accomplish this, density reductions are proposed in several of those constrained areas. In some cases, members of the public expressed concerns that reductions in allowed density may lead to changes in property values. Because of this, staff was directed to investigate potential equity mechanisms.

## Purpose

Equity mechanisms are implementation tools to help preserve a landowner's equity position in their property. One such mechanism is a Purchase of Development Rights (PDR). In a PDR program, a jurisdiction would purchase development credits from certain areas in order to preserve those lands from further development. Where development credits are purchased, a property would be subject to a deed restriction and /or conservation easement limiting further development potential.

## Legislative Intent

Based on the issues identified above, it is the intent of the Board of Supervisors to establish a Purchase of Development Rights program in order to help preserve a landowner's equity position in their property. Further, the PDR program should be enacted concurrent with the final adoption of the General Plan 2020 update.

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### Background

Several residential land use designations in the existing General Plan couple densities with minimum parcel sizes in a one-to-one relationship. For example, areas with a density of one dwelling unit per acre also have a zone with a minimum parcel size of one acre. This coupling of density and parcel size creates two problems. First, by using parcel sizes instead of density, the existing General Plan is not truly density based as required by Government Code section 65302. Second, in order to meet the minimum parcel sizes, applicants often propose subdivisions with very long narrow parcels with an easement over a majority of the parcel. This practice frequently leads to confusion on the part of homeowners as to what is allowed to occur in the easement, fragmented open space areas and difficulty in achieving the allowed yield.

### Purpose

Two of the goals of the General Plan 2020 update have been to resolve potential inconsistencies in the plan itself and to accommodate growth and development in appropriate areas while preserving important biological resources in other areas. Decoupling density and parcel size will help to achieve both goals by not requiring that the minimum parcel size match the density. Regulations governing parcel sizes should be controlled by the Zoning Ordinance, which also regulates items such as building height, setbacks and enclosure requirements.

### Legislative Intent

Based on the issues identified above, it is the intent of the Board of Supervisors to decouple density and parcel size and to provide that the Zoning Ordinance and not the General Plan should establish minimum parcel sizes. While minimum parcel sizes should be smaller in higher density areas than in medium or low-density areas, in general, parcel sizes should be smaller than the corresponding general plan density to allow for greater flexibility in subdivision design and to allow for preservation of sensitive natural resources.